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July 12, 2021

VIA ECF

The Honorable Sidney H. Stein, U.S.D.J.
United States District Court
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007

MEMO ENDORSED, p. 2

Re: Tatum-Rios v. Work LA LLC., d/b/a Laca USA,
1:21-cv-01164-SHS

Dear Judge Stein:

We represent the Plaintiff in this website accessibility case under Title III of the American's with Disabilities Act, and its New York State and City analogs. We write now to respectfully request an adjournment of the Initial Pretrial Conference ("IPTC"), currently scheduled for July 14, 2021 at 9:00am. (Dkt. 10.)

Plaintiff filed this action on February 9, 2021 (Dkt. 1) and Defendant was served April 16, 2021 (Dkt. 8). Defendant has neither appeared, nor contacted us. We have been, and continue trying to reach Defendant to avoid unnecessary default motion practice and to discuss potential settlement. Plaintiff respectfully requests a further 45-day adjournment of the IPTC to facilitate Defendant's appearance in the case. If this request is granted, and Defendant has not appeared in the case within the first 30 days of this extended time period, Plaintiff will be prepared to file for default judgment in lieu of, and by the new date of the IPTC.

This is the third request for an adjournment of the IPTC. As Defendant has not yet appeared in the case and we have not been contacted by their counsel, we are unable to determine whether Defendant consents to this request. If granted, this adjournment will not affect any other case deadlines because no Scheduling Order has yet been entered.

We appreciate the Court's consideration of this request.

Respectfully submitted,
LIPSKY LOWE LLP

s/ Christopher H. Lowe
Christopher H. Lowe

The conference is adjourned to September 3, 2021, at 10:00 a.m.

Dated: New York, New York
July 12, 2021

SO ORDERED:



Sidney H. Stein, U.S.D.J.